

4-5900.039498

DWYER CONNELL AND LISBONA

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Attorneys for Defendant POLICE OFFICER GARY YURKOVIC

Plaintiff, : UNITED STATES DISTRICT COURT
BASSEM KANDIL and FLORA KANDIL : DISTRICT OF NEW JERSEY
his wife :

vs. : Civil Action Number:
: 06-4701(JAG-MCA)

Defendants, :
POLICE OFFICER GARY YURKOVIC, :
POLICE OFFICER ANTHONY MARK :
ADOBE, POLICE OFFICER WILLIAM : **NOTICE OF MOTION FOR AN ORDER**
C. OELS, III, SERGEANT WILLIAM : **GRANTING SUMMARY JUDGMENT ON**
OELS, CHIEF OF POLICE, CITY OF : **BEHALF OF DEFENDANT POLICE**
NEW BRUNSWICK, CITY OF NEW : **OFFICER GARY YURKOVIC,**
BRUNSWICK POLICE DEPARTMENT, : **DISMISSING THE AMENDED**
MIDDLESEX COUNTY PROSECUTOR'S : **COMPLAINT WITH PREJUDICE,**
OFFICE, MIDDLESEX COUNTY : **Returnable October 19, 2009**
CORRECTIONAL FACILITY, JOHN :
DOE SUPERVISING OFFICERS 1-10, :
JOHN DOES 1-10, ABC :
CORPORATIONS 1-10 :
:

TO: William T. Walsh, Clerk of the Court
United States District Court
Martin Luther King Federal Courthouse & Building
50 Walnut Street
Newark, New Jersey 07102

The Honorable Joseph A. Greenaway, U.S.D.J.
United States District Court
Martin Luther King Federal Courthouse & Building
50 Walnut Street
Newark, New Jersey 07102

The Honorable Madeline Cox Arleo, U.S.M.J.
United States District Court
Martin Luther King Federal Courthouse & Building
50 Walnut Street
Newark, New Jersey 07102

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SIRS AND/OR MADAMS:

PLEASE TAKE NOTICE that on Monday, OCTOBER 19, 2009, at 9:00 a.m. on the forenoon or as soon thereafter as counsel may be heard, the undersigned, attorneys for Defendant Police Officer Gary Yurkovic shall apply to the United States District Court for the District of New Jersey, Trenton, New Jersey, for an Order for granting summary judgment in favor of Defendant Police Officer Gary Yurkovic, dismissing the Amended Complaint with prejudice. We shall rely upon the annexed Certification, Procedural History, Statement of Facts and Legal Argument in support thereof.

The undersigned waives oral argument unless the within motion is opposed.

A proposed form of Order is annexed.

Respectfully submitted,
DWYER CONNELL & LISBONA

By: 

WILLIAM T. CONNELL

Dated: August 31, 2009